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September 29, 2021

The Honorable Troy L. Nunley
U.S. District Judge
U.S. District Court for the Eastern District of California
Robert T. Matsui U.S. Courthouse
501 I Street
Sacramento, CA 95814

Re: *Association for Accessible Medicines v. Becerra*, No. 2:20-cv-01708

Judge Nunley:

I write on behalf of the Association for Accessible Medicines (“AAM”), the plaintiff in the above-referenced case. AAM filed this lawsuit on August 25, 2020, Dkt. 1, and filed a Motion for Preliminary Injunction (“Motion”) on September 14, 2020, Dkt. 15. Briefing on the Motion concluded on October 22, 2020. *See* Dkt. 26. Oral argument on the Motion was scheduled to be held on October 29, 2020, but the Court vacated that date on October 23, 2020. Dkt. 27.

On March 18, 2021, with the Motion still pending, AAM filed a letter “respectfully request[ing] that this Court issue a decision on AAM’s Motion” in a timely manner given that “AAM’s members have suffered, and continue to suffer, irreparable harm in the form of violations of their constitutional rights as well as lost and unrecoverable value from settlements that, but for AB 824” (the California law challenged in this suit), “they would have consummated.” Dkt. 35.

On March 19, 2021, the Court issued a Minute Order noting “receipt of [that] filing” and conveying that the Court “hope[d] to have its decision filed as quickly as possible.” Dkt. 36.

On June 28, 2021, with the Motion still pending, AAM filed a second letter reiterating its position regarding the need for a prompt decision “to protect AAM’s members’ constitutional rights and to facilitate the almost-inevitable appellate proceedings in this case.” Dkt. 37.

Three months more have passed, with no decision having issued. It has now been more than a year since AAM filed its Motion seeking preliminary injunctive relief, and almost a year since the original argument date. AAM respectfully redoubles its request for the Court to issue a decision “as quickly as possible,” Dkt. 36, to protect AAM’s members’ rights and facilitate review.

Regards,

s/ Jay P. Lefkowitz, P.C.
Jay P. Lefkowitz, P.C.

cc: Service List (via CM/ECF)